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VIDEO SOFTWARE DEALERS ASSOCIATION  
11 and ENTERTAINMENT SOFTWARE ASSOCIATION  
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13 UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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16 VIDEO SOFTWARE DEALERS  
ASSOCIATION and ENTERTAINMENT  
17 SOFTWARE ASSOCIATION,

18 Plaintiffs,

19 v.

20 ARNOLD SCHWARZENEGGER, in his official  
capacity as Governor of the State of California;  
21 BILL LOCKYER, in his official capacity as  
Attorney General of the State of California;  
22 GEORGE KENNEDY, in his official capacity as  
Santa Clara County District Attorney, RICHARD  
23 DOYLE, in his official capacity as City Attorney  
for the City of San Jose, and ANN MILLER  
24 RAVEL, in her official capacity as County  
Counsel for the County of Santa Clara,  
25

26 Defendants.  
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28

CASE NO. C 05 4188

DECLARATION OF KEN CHAN  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR PRELIMINARY INJUNCTION

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

VIDEO SOFTWARE )  
DEALERS ASSOCIATION and )  
ENTERTAINMENT SOFTWARE )  
ASSOCIATION, )

Plaintiffs, )

vs. )

ARNOLD SCHWARZENEGGER, in his )  
official capacity as Governor of the State of )  
California; BILL LOCKYER, in his )  
official capacity as Attorney General of the )  
State of California; GEORGE KENNEDY, )  
in his official capacity as Santa Clara )  
County District Attorney, RICHARD )  
DOYLE, in his official capacity as City )  
Attorney for the City of San Jose, and )  
ANN MILLER RAVEL, in her official )  
capacity as County Counsel for the County )  
of Santa Clara, )

Defendants. )

C.A.. 05-4188

**DECLARATION OF KEN CHAN**

Pursuant to 28 U.S.C. § 1746, I, Ken Chan, under penalty of perjury state as follows:

1. I am currently employed as a marketing specialist at Sony Computer Entertainment America Inc. ("SCEA"). I have held this position since Spring 1996. As a result of my duties as a marketing specialist, I have personal knowledge of the facts stated in this declaration.

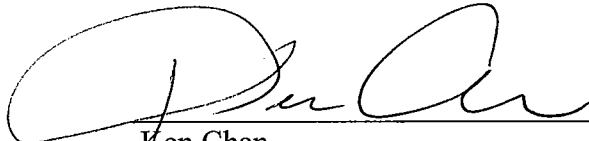
2. SCEA is a publisher, developer and distributor of interactive entertainment software. SCEA publishes video games for the PS one console, the PlayStation® 2 computer

entertainment system, and the PSP™ (PlayStation® Portable). SCEA is based in Foster City, California, and serves as headquarters for all North American operations. SCEA is a wholly owned subsidiary of Sony Computer Entertainment Inc.

3. One of the video games that SCEA publishes is entitled “*God of War*.” A true and accurate copy of the PlayStation 2 version of *God of War*, in its entirety and final form, is attached as Exhibit A to this Declaration. A videotape of *God of War* being played is attached as Exhibit B to this Declaration. I certify that Exhibit B is a true, accurate, and representative sample of *God of War*.

**I declare under penalty of perjury that the foregoing is true and correct.**

EXECUTED on October 10, 2005.



Ken Chan

**Exhibits A (video game “God of War”) & B  
(videotape of “God of War”) to the  
Declaration of Ken Chan are enclosed in a  
separately filed envelope.**